

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

09/23/03

00746 U.S. PTO
10/668667

09/23/03

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small>	Attorney Docket No.	1818.1015-021
	First Named Inventor or Application Identifier	Jonathan S. Stamler
	Express Mail Label No.	EV 052030382 US
Title of Invention	NOVEL POLYMERS FOR DELIVERING NITRIC OXIDE IN VIVO	

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. <input type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Specification Total Pages [37] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets [2] <input type="checkbox"/> Fig. of the Drawings for Publication <input type="checkbox"/> <input checked="" type="checkbox"/> No Figure to be Published 4. <input checked="" type="checkbox"/> Oath or Declaration Total Pages [3] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). 5. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i>	6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form b. <input type="checkbox"/> Paper Copy (identical to computer copy) [] Pages c. <input type="checkbox"/> Statements verifying identity of above copies <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> ACCOMPANYING APPLICATION PARTS 7. <input type="checkbox"/> Assignment Papers (cover sheet & documents) <input checked="" type="checkbox"/> Assignee - Duke University Durham, North Carolina 8. <input type="checkbox"/> Power of Attorney <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement 9. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 10. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copy of ref. AF2 11. <input type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Return Receipt Postcard 13. <input type="checkbox"/> Small Entity Statement(s) 14a. <input type="checkbox"/> Foreign Priority Claim under 35 U.S.C. §119 or 365 14b. <input type="checkbox"/> Certified Copy of Priority Document(s) 15. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i> 16. <input checked="" type="checkbox"/> Other <u>Remarks/Change of Correspondence Address Letter</u> </div>
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17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/164,366

Prior application information: Examiner: Duc Truong Group Art Unit: 1711

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS					
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Signature		Date	September 23 2003
Submitted by Typed or Printed Name	Steven G. Davis	Reg. Number	39,652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler, Eric J. Toone and Richard S. Stack

Continuation Application of

Application No.: 10/164,366

Filed: June 5, 2002

For: NOVEL POLYMERS FOR DELIVERING NITRIC OXIDE IN
VIVO

Date: <u>9.23.03</u>
EXPRESS MAIL LABEL NO. <u>EV 05 20303824S</u>

REMARKS / CHANGE OF CORRESPONDENCE ADDRESS

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of U.S. Application No. 10/164,366 filed June 5, 2002 to which priority is claimed under 35 U.S.C. §120.

The specification of the present application is substantially the same as that of the U.S. Application No. 08/691,862 (now U.S. Patent No. 5,770,645) to which the present application claims priority and incorporates by reference. The related applications paragraph has been updated as the first paragraph in the specification to include the new priority claim. No new matter has been added.

All of the claims from the parent application have been canceled. A new claim set is being presented herein for examination. Support for new Claims 1 - 12 can be found throughout the specification, for example, Claims 1 - 2 at page 3, line 25 through page 4, line 2 and page 6, line 23 through page 7, line 2; Claims 3 - 4 at page 4, lines 22 - 25 and page 18, lines 3 - 4; Claim 5 at page 4, lines 10 - 16, page 16, lines 5 - 11 and page 17, lines 15 - 19; Claims 6 - 7 at page 4,


lines 17 - 20 and page 18, lines 3 - 23; Claims 8 - 9 at page 6, lines 7 - 8; Claim 10 at page 4, lines 5 - 8 and page 8, lines 1 - 15; Claim 11 at page 6, lines 9 - 22; Claim 12 at page 19, lines 12 - 22.

A newly executed declaration under 37 C.F.R. 1.63 is not believed to be necessary under 37 C.F.R. 1.63(d) or 1.67(b).

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a Notice of Change of Correspondence Address was submitted in parent Application No.10/164,366. Please send all correspondence in the above-identified continuation application to: Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to Steven G. Davis at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

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Dated: *September 23 2005*